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09/891,038	06/25/2001	Matthias Wandel	555255012248	9468

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Joseph M. Sauer, Esq.
Jones, Day, Reavis & Pogue
North Point
901 Lakeside Avenue
Cleveland, OH 44114

EXAMINER	
BENGZON, GREG C	

ART UNIT	PAPER NUMBER
2144	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/891,038	WANDEL ET AL.	
	Examiner	Art Unit	
	Greg Bengzon	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 April 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *51-66* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *51-66* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This application has been examined. Claims 1-50 have been cancelled. Claims 51-66 have been submitted as new Claims and are pending.

Priority

This application claims benefits of priority from application 60/214080 filed on June 27, 2000.

The effective date of the claims in this application is June 27, 2000.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 51-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US Patent 6535493) in view of Lazaridis et al. (US Patent 6219694), hereinafter referred to as Lazaridis.

Lee disclosed of a communication protocol for critical on-site communications for mobile units using base stations connected to a LAN. Initially, the process of FIG. 8 checks whether it has received a packet from a wired network such as from the Ethernet network in step 422. If not, the process is idled at step 422 until a packet has

been received from the wired network. From step 422, the process of FIG. 8 checks whether the requesting packet is an ARP request in step 424. If so, the process of FIG. 8 further checks whether or not the current AP is acting as a home agent in step 428. If the AP is not acting as home agent, the process loops back to step 422 to repeat the incoming packet routing process. Alternatively, if the current AP is acting as the home agent in step 428, a proxy ARP response is sent in step 430.

Lee disclosed the features of the invention as described in the Claims shown below.

51. (New) A local-area wireless communication system for use with a plurality of mobile devices that are configured to communicate over a wide-area wireless network, comprising: a plurality of local base stations coupled to a local area network (LAN), the local base stations being configured to send and receive data over the LAN and to communicate wirelessly with the plurality of mobile devices; (Figures 1 thru 9, Column 2 Lines 50-65, Column 4 Lines 15-60, Column 5 Lines 35-65, Column 8 Lines 20-65, Column 9 Lines 10-65, Lines 10 Lines 15-65, Column 11 Lines 1-45, Column 12 Lines 1-65, Column 13 Lines 1-35) an access point (AP) module configured to interface the local-area wireless communication system with the wide-area wireless network; the plurality of local base stations being further configured to: determine if a particular mobile device is currently in communication with the local-area wireless communication system when an outgoing communication is directed to the particular mobile device;

(Figures 3 thru 9, Column 8 Lines 20-65, Column 11 Lines 11-65, Column 12 Lines 1-65) and either route the outgoing communication to the particular mobile device over the local-area wireless communication system if the particular mobile device is currently in communication with the local-area wireless communication system, or route the outgoing communication to the redirector if the particular mobile device is not currently in communication with the local-area wireless communication system; (Figure 4, Figure 6, Figure 8, Column 9 Lines 10-65, Column 11 Lines 1-65, Column 12 Lines 1-65) the access point (AP) module being further configured to route outgoing communications over the wide-area wireless network; whereby mobile devices are able to send and receive data while roaming between the wide-area wireless network and the local-area wireless communication system.(Column 5 Lines 1-35, Column 10 Lines 15-65, Column 13 Lines 1-35)

52. (New) The system of claim 51, wherein the plurality of local base stations each have a network address on the LAN and are configured to send and receive data over the LAN using the network addresses. (Column 5 Lines 1-65, Column 6 Lines 1-65)

53. (New) The system of claim 51, wherein the mobile devices use a wide-area wireless network protocol to communicate over both the local-area wireless communication system and the wide-area wireless network. (Column 5 Lines 1-65, Column 6 Lines 1-65)

54. (New) The system of claim 53, wherein the plurality of local base stations each have a network address on the LAN and are configured to send and receive data over the LAN using the network addresses, and wherein the data received from a mobile device using the wide-area wireless network protocol is tunneled through the LAN using the network address for a local base station. (Column 5 Lines 25-35, Column 6 Lines 35-55, Column 10 Lines 1-10)

55. (New) The system of claim 51, further comprising: a subscription server operating on the LAN that is configured to identify the local base stations covering one or more of the mobile devices, wherein the subscription server enables the local-area wireless communication system to locate mobile devices that are in communication with the local-area wireless communication system. (Figures 4 thru 6, Column 9 Lines 10-65)

56. (New) The system of claim 52, wherein the network address is an internet protocol (IP) address. (Column 1 Lines 35-65, Column 9 Lines 10-65)

57. (New) The system of claim 51, wherein the access point (AP) interfaces the local-area wireless communication system with the wide-area wireless network via a wide-area computer network. (Figure 9 Column 5 Lines 1-65, Column 12 Lines 30-65)

59. (New) The system of claim 51, wherein the mobile devices transmit and receive electronic mail messages over the local-area wireless communication system and the wide-area wireless network. (Column 3 Lines 35-45)

60. (New) The system of claim 51, wherein the mobile devices transmit and receive voice communications over the local-area wireless communication system and the wide-area wireless network. (Column 3 Lines 35-45)

62. (New) The system of claim 56, wherein the subscription server also logs subscription information for one or more of the mobile devices. (Column 9 Lines 10-65)

63. (New) The system of claim 62, wherein each local base station includes a subscription list that identifies the mobile devices currently covered by the particular base station. (Column 9 Lines 10-65)

64. (New) The system of claim 51, wherein the local base stations include route caches that store data identifying the local base stations last known to be covering one or more of the mobile devices. (Column 11 Lines 15-35)

65. (New) The system of claim 64, wherein the local base stations are configured to purge from the route cache data relating to any mobile device to which the local base station has not been in communication for a predefined interval of time. (Column 11 Lines 15-35)

66. (New) The system of claim 51, wherein the local-area wireless communication system operates within an office. (Column 4 Lines 15-30)

However Lee did not disclose of a redirector wherein the redirector is configured to interface the local-area wireless communication system with the wide-area wireless network; the redirector being further configured to route outgoing communications over the wide-area wireless network; wherein the redirector is further configured to transfer electronic messages into an electronic mailbox. Lee did not disclose of a mail server in the system, said mail server operating on the LAN and having access to a wide-area computer network, the mail server being configured to send and receive electronic messages over the wide-area computer network and the LAN.

Lazaridis discloses of a communication system for mobile communication devices over a LAN, using a redirector software wherein the redirector repackages the messages as email and whenever appropriate, forwards the email to an email server. Furthermore, Lazaridis describes the system wherein the outgoing datagram is continuously sent to the desired mobile device until an acknowledgement is received;

and wherein the system controls and coordinates the receipt and transmission of datagrams depending on the user commands and by sensing networked events. (Figure 1 Column 1 Lines 25-35, Column 2 Lines 25-35, Column 6 Lines 30-50, Column 7 Lines 50-45, Column 8 Lines 30-55, Column 10 Lines 50-65, Column 11 Lines 25-45) Lazaridis discloses of sensing when the user is no longer in the vicinity if the host system, and of storing messages destined for the mobile device until such a time that the system receives an indication that the mobile device is ready to receive the messages.

Lazaridis disclosed the features of the invention as described in the Claims shown below.

51. a redirector configured to interface the local-area wireless communication system with the wide-area wireless network; the redirector being further configured to route outgoing communications over the wide-area wireless network. (Figure 1 Column 1 Lines 25-35, Column 2 Lines 25-35, Column 6 Lines 30-50, Column 7 Lines 50-45, Column 8 Lines 30-55, Column 10 Lines 50-65, Column 11 Lines 25-45)

57. (New) The system of claim 51, wherein the redirector interfaces the local-area wireless communication system with the wide-area wireless network via a wide-area computer network. (Figure 1 Column 1 Lines 25-35, Column 2 Lines 25-35, Column 6 Lines 30-50, Column 7 Lines 50-45, Column 8 Lines 30-55, Column 10 Lines 50-65, Column 11 Lines 25-45)

58. (New) The system of claim 51, wherein the redirector is further configured to transfer electronic messages into an electronic mailbox. (Figure 1 Column 1 Lines 25-35, Column 2 Lines 25-35, Column 6 Lines 30-50, Column 7 Lines 50-45, Column 8 Lines 30-55, Column 10 Lines 50-65, Column 11 Lines 25-45)

61. (New) The system of claim 51, further comprising: a mail server operating on the LAN and having access to a wide-area computer network, the mail server being configured to send and receive electronic messages over the wide-area computer network and the LAN; (Figure 2 Column 9 Lines 20-55) wherein the redirector is further configured to forward electronic mail messages from the mail server to the mobile devices. (Figure 1, Column 1 Lines 25-35, Column 2 Lines 25-35, Column 6 Lines 30-50, Column 7 Lines 50-45, Column 8 Lines 30-55, Column 10 Lines 50-65, Column 11 Lines 25-45)

Lee and Lazaridis are analogous art because they present concepts and practices regarding communication systems for mobile communication devices involving text and voice data over a LAN. It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the teachings of Lazaridis regarding 1) the redirector software and 2) storing and processing of data packets destined and originating from mobile devices, and 3) coordinating transmission and reception of said data packets, 4) 'pushing' data to the

mobile devices, 5) sensing whether the user is no longer within the vicinity of the host into the method and 6) configuring and detecting a particular user-defined event, into the system of Lee . The suggested motivation would have been, as Lazaridis suggests, to overcome the bandwidth limitations in wireless networks and implement the practice of 'pushing data' to the mobile user in order to facilitate timely responses to critical or emergency communications. Due to the bandwidth limitations of wireless networks, only a portion of a data item is generally redirected to the user's mobile device, with the user given the option of then retrieving the entire data item (or some other portion of the data item) from the host system. Without the implementing the push a mobile user may fail to respond to an emergency updates, requests, meeting notifications, and news bulletins because the user only periodically checks for updates and stored messages.

Thus it would have been obvious to combine the teachings of Lazaridis into the method and system of Lee in order to obtain the invention as described in Claims 51-66.

Response to Arguments

Applicant's arguments with respect to Claims 1-50 have been considered but are moot in view of Claims 1-50 being cancelled, and new ground(s) of rejection presented for Claims 51-66.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571)272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gcb

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100